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Attorneys for Defendant Patrick Ezell

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CPIOUS CREATIVE, INC., an Oregon corporation,

Case No.: 3:16-cv-00427-BR

Plaintiff,

v.

PATRICK EZELL, an individual,

Defendant.

DECLARATION OF PATRICK EZELL IN SUPPORT OF DEFENDANT'S RESPONSE TO MOTION FOR TEMPORARY RESTRAINING ORDER

I, Patrick Ezell, being duly sworn, do hereby depose and say:

1. I am a shareholder of Copious Creative, Inc. ("Copious"). My employment with Copious was terminated by Copious on February 17, 2016.
2. Subsequent to my departure from Copious, I have made no disclosures of any of Copious's confidential information to any third party. Any confidential information that

remained in my possession following my termination was at all times securely encrypted to protect Copious's confidential information.

3. On February 17, 2016, prior to my termination, my attorney, Jerry Carleton of Immix Law Group PC, and I met with Copious President, Timothy Haskins, Copious's counsel, Rick Okamura, and Mr. Haskins' personal attorney, Scott Schnuck, to discuss the execution of a buyout and exit from the company by either Mr. Haskins or myself.

4. On February 19, 2016, I met with Mr. Carleton's partner, Dayna Christian, and Mr. Okamura and provided all company property remaining in my possession that I could locate after a careful search. Concurrent with that meeting, I executed a declaration drafted and approved by Mr. Okamura. A true copy of that declaration was attached to Mr. Haskins' declaration (Doc. No. 6) as Exhibit 8 (Doc. No. 6-8).

5. On February 22, 2016, Ms. Christian and I met with Mr. Okamura in person and with Mr. Haskins by telephone. During that meeting, I spent an additional four hours providing Mr. Haskins with the passwords necessary to access Copious accounts and notified him of various business matters requiring his attention.

6. At the end of the February 22, 2016 meeting, Mr. Haskins provided a letter demanding that I preserve all evidence and not destroy any evidence. Since that date, I have not taken any action that would violate the terms of that letter.

7. On March 2, 2016, I discovered that still had access to Copious's Lucidchart account. I promptly notified Ms. Christian, who relayed that information to Copious's counsel. I have no intention to retain any Copious confidential information that I may locate in the future and will immediately return any such information that I may find.

8. I have not returned my smartphone to Copious. It is not a company asset, but

was provided to me as a shareholder benefit.

9. Since my termination, I have not used any of Copious's confidential information for any purpose, including my own personal gain. I have no intention of doing so in the future.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

DATED: March 11, 2016.



The image shows a handwritten signature in black ink. The signature consists of two parts: "P.H." on the left and "Ezell" on the right, connected by a horizontal line. Below the signature, the name "Patrick Ezell" is printed in a smaller, standard font.

CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2016, I served a true copy of the foregoing on the parties and/or attorneys listed below by the method(s) indicated below on said day.

Neil N. Olsen Joseph W. Carlisle Zupancic Rathbone Law Group, P.C. 4949 Meadows Road, Suite 600 Lake Oswego, OR 97035 nolsen@zrlawgroup.com jcarlisle@zrlawgroup.com Fax: (503) 968-8017	<i>Via CM/ECF</i>
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